

REMARKS

Claims 1-7, and 11-18 are pending in the application. Claims 1, 11, and 12 have been amended herein. Claims 8-10, and 19-21 have been canceled herein without prejudice. Favorable reconsideration of the application, as amended, is respectfully requested.

I. REJECTIONS OF CLAIMS 1-21 UNDER 35 U.S.C. §§ 102 AND 103

Claims 1-7, and 11-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,798,997 (Hayward). Claims 8-10, and 19-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over a combination of Hayward and U.S. Patent No. 6,785,015 (Smith). Applicant believes that all pending claims are allowable for at least the following reasons. Withdrawal of the rejections is respectfully requested.

Claims 1, 11, and 12 have been amended herein to include limitations recited in claims 9 and 10. Specifically, claims 1 requires that "the controller is operable to insert one of (i) consumable product data representing the remaining amount of the consumable product, and (ii) printer error data representing the error status of the printer, into a data portion of the e-mail message." Claims 11 and 12 contain recitations similar to those of claim 1. No new matter has been introduced by the amendments.

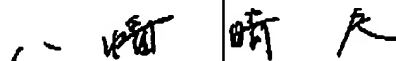
In rejecting claims 9, 10, 20, and 21, the Office Action dated January 19, 2005 merely points to the SMTP feature recited in original claim 8 and 19 (now canceled). Specifically, the Office Action fails to provide reasonable clarification for rejecting claims 9, 10, 20, and 21. Mere fact that the Smith patent suggests use of the SMTP format does not reasonably teach the more specific configuration of the data transmitted, as now recited in claims 1, 11, and 12. All cited references have been reviewed, but Applicant believes that nothing in the cited art reasonably teaches the above-identified claimed feature of independent claims 1, 11, and 12. Therefore, the Smith patent does not cure the deficiencies of the Hayward patent. As such, the invention of independent claims 1, 11, and 12, and their dependent claims is believed to be patentable over the cited art. Withdrawal of the rejections is respectfully requested.

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II. CONCLUSION

Applicant believes that all pending claims are in condition for allowance, and respectfully requests a Notice of Allowance at an early date. If the Examiner has any continuing concerns about patentability of the claimed invention, he is encouraged to telephone the undersigned at 510-663-1100, ext 245.

Respectfully submitted,
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Limited Recognition under 37 CFR § 10.9(b)

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